

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|-------------------------------------|---|--------------------------------------|
| ABRAHAM DAVID WEISEL, | : | CIVIL ACTION NO. 1:09-CV-1906 |
| Plaintiff | : | |
| | : | (Judge Conner) |
| v. | : | |
| | : | |
| C/O KEITH FRANK, YORK COUNTY | : | |
| PRISON, | : | |
| Defendants | : | |

ORDER

AND NOW, this 8th day of December, 2009, it is hereby ORDERED that:

1. Plaintiff's motion to amend (Doc. 14) his complaint to cure the deficiencies referenced in the court's order of November 2, 2009 (Doc. 10) is GRANTED.
2. Plaintiff may FILE an amended complaint on or before December 23, 2009. The amended complaint shall carry the same civil docket number (1:09-CV-1906) presently assigned to this matter.
3. The amended complaint shall be a short, plain, and concise statement of the claim and shall be a new pleading which stands by itself as an adequate complaint without reference to the complaint already filed. FED. R. CIV. P. 8(e)(1).
4. Based on plaintiff's filings to date, it appears that plaintiff is capable of properly and forcefully prosecuting his claims with adequate factual investigation and appropriate citations to governing authority, and that resolution of the facial merit of plaintiff's claims neither implicates complex legal or factual issues nor requires factual investigation or expert testimony, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), plaintiff's motion for appointment of counsel (Doc. 12) is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff. See id.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge